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RUEHBY/AMEMBASSY CANBERRA PRIORITY 0068
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C O N F I D E N T I A L SECTION 01 OF 02 BANGKOK 002642

SIPDIS

STATE FOR EAP/MLS, NSC FOR WALTON

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TAGS: [PREL](#) [PGOV](#) [TH](#)

SUBJECT: THAILAND: FUTURE OF CONSTITUTIONAL AMENDMENTS
INCREASINGLY UNCERTAIN

REF: A. BANGKOK 02459 (CHARTER CHANGE ONE STEP CLOSER TO
REALITY)
[1](#)B. BANGKOK 02539 (RULING COALITION AGREES TO PATH
FORWARD)

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Classified By: DCM JAMES F. ENTWISTLE, REASONS 1.4 (B) AND (D)

[1](#)1. (U) SUMMARY: Following an October 13 teleconference with fugitive former Prime Minister Thaksin Shinawatra, the Puea Thai party reversed course and announced its opposition to the same six proposed amendments to the 2007 Constitution it had previously supported in negotiations with representatives from the government, opposition, and Senate (REFS A and B). Government coalition partners nevertheless agreed on the same day to move the charter change process forward, though at this point the next steps remain uncertain. Both sides claim to be acting in the interest of national reconciliation, but mixed reactions from within both camps indicate the issue is far from resolved.

[1](#)2. (C) COMMENT: Puea Thai's declaration has thrown the Constitutional reform process for a potentially fatal loop. Although the opposition appears to be divided over this issue, as evidenced by contradictory statements made over the preceding week, Thaksin's strong influence in Puea Thai remains significant. Abhisit and his government appear almost as divided as Puea Thai over how to deal with this latest development, however, and regardless of how they decide to proceed will likely face increased pressure. Last week Abhisit said that if the proposed amendments cause further societal discord that he would abandon the process entirely, an option that, while viable to a certain degree, holds some danger for the Prime Minister and his government.

THAKSIN TELLS PUEA THAI TO CRACK SOME EGGS

[1](#)3. (U) Leaders from the opposition Puea Thai party met on October 13, with Thaksin participating via video link, and decided to oppose the proposal to amend six key points of the 2007 Constitution as agreed to in late September by the whips of the government, opposition, and Senate. Titular party leader Yongyuth Wichaidit said Puea Thai would boycott the amendments and instead seek the full reinstatement of the 1997 Constitution. During the meeting Thaksin apologized for

the confusion over the last week) including public statements by Yongyuth that Puea Thai would not support the changes, a statement that contradicted declarations of cooperation made by Puea Thai's parliamentary whip, Witthaya Buranasiri -- and said the misunderstanding arose because he had been communicating with several people, both in person and long-distance. In his remarks Thaksin referred to the 2007 charter as a "monitor egg," a clear statement of disdain for the current constitution. (Note: The colloquial term for the monitor lizard is an extremely vulgar pejorative term in Thai, used to denote distasteful or disgusting things. Thaksin did not use the pejorative, but clearly implied that he considers the 2007 Constitution to be the illegitimate product of the 2006 coup that removed him from power. End Note.)

¶4. (C) Puea Thai MP Phiraphan Phalusuk told us that former Prime Minister Thaksin initially pushed the party to oppose the amendments in an October 11 phone-in speech, at which point he expressed his disapproval of the amendment effort and said he preferred to push for the reinstatement of the 1997 charter. Phiraphan -- who has been a principal representative for the opposition in negotiations to amend the charter -- bemoaned the fact that this reversal effectively negated Puea Thai's cooperative efforts; nevertheless, he said Puea Thai would now stand firm and united in pressing for the restoration of the 1997 Constitution.

COALITION COMMITMENT TO CHANGE MIGHT NOT BE ENOUGH

¶5. (U) Shortly after Puea Thai's announcement, the government coalition partners declared their plan to move forward with

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the amendment process (REF B). Prime Minister Abhisit chaired an hour-long meeting with titular and de facto leaders from Chart Thai Phattana, Phumjai Thai, Ruam Jai Thai, and Puea Phaendin, and after the meeting Chart Thai Phattana leader Somsak Prisananantakul announced that the coalition leaders would back the proposals. The parliamentary working group will submit the amendment drafts to the coalition whips, the opposition, and the Senate on October 22.

¶6. (U) Public reactions from government officials paint a less unified picture, however. Deputy Prime Minister Suthep Thaugsuban said the charter changes could not proceed without Puea Thai's participation. On the other hand, Deputy Prime Minister for social affairs Sanan Kachornprasart insisted that the process could proceed without the opposition party, adding that the most important step for the government at this time would be to create an understanding with the People's Alliance for Democracy (PAD) and the 40 senators who strongly oppose amending the charter. Government whip Chinnaworn Bunyakiet expressed some hope that Puea Thai leaders would change their minds and return to the process before the scheduled October 22 tripartite meeting.

DEMOCRAT PARTY BETWEEN A ROCK AND A HARD PLACE

¶7. (C) Democrat Party MP Nipphon Bunyamanee told us that with Puea Thai's withdrawal from the charter change process, national reconciliation was impossible. He said Thaksin hoped to force the dissolution of parliament in the belief that Puea Thai would return to power in subsequent elections. He said it was now incumbent on the Democrat Party and the coalition to find a "proper landing" to scrap the amendment plan, according to Nipphon.

¶8. (C) Yongyuth told us the proposed amendments were useless and cheated the public. The only path to national reconciliation, he insisted, was through the reactivation of the 1997 Constitution. Now the Democrat Party was in a

really difficult position, Yongyuth said; moving forward with the amendments risked incurring the wrath of the PAD, while backtracking could offend coalition partners and the general public. Puea Thai and the United Front for Democracy against Dictatorship (UDD) would increase their pressure on the government, which Yongyuth believed the coalition could not withstand.

JOHN